

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

SMARTPHONE TECHNOLOGIES, LLC,

Plaintiff,

v.

HTC CORPORATION, HTC AMERICA, INC.,
SONY ERICSSON MOBILE
COMMUNICATIONS AB, SONY ERICSSON
MOBILE COMMUNICATIONS (USA), INC.
and T-MOBILE USA, INC.

Defendants.

Civil Action No. 6:10-cv-580
JURY TRIAL DEMANDED
PATENT CASE

JOINT MOTION TO AMEND DOCKET CONTROL ORDER

Plaintiff and all Defendants (the “Parties”) jointly file this agreed motion to amend certain deadlines in the Amended Docket Control Order entered on October 11, 2011 (Dkt. No. 126). The Parties have met and conferred and hereby jointly move the Court to amend the deadline for all parties because the parties would benefit from additional time and specification of the due date for the identification of the technical advisor. This motion is not brought for the purpose of delay. The Parties seek to amend the following dates:

Event	Current Deadline	Proposed Deadline
Proposed Technical Advisors due. Parties to provide name, address, phone number, and curriculum vitae for up to three agreed technical advisors and information regarding the nominees’ availability for <i>Markman</i> hearing or a statement that they could not reach an agreement as to any potential technical advisor, they shall not submit any proposed technical advisors to the Court.	December 22, 2011	December 29, 2011

A Proposed Amended Docket Control Order is attached to this motion.

Dated: December 22, 2011

Agreed and Accepted by:

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was filed electronically in compliance with Local Rule CV-5 on this 22nd day of December, 2011. As of this date, all counsel of record have consented to electronic service and are being served with a copy of this document through the Court's CM/ECF system under Local Rule CV-5(a)(3)(A).

/s/ Yar R. Chaikovsky
Yar R. Chaikovsky

CERTIFICATE OF CONFERENCE

I hereby certify that counsel for Apple has satisfied the "meet and confer" requirements of Local Rule CV-7(h), and that opposing counsel of record in this matter is not opposed to the relief sought in this Motion. Counsel for HTC, David M. Beckwith, conferred via email with Brannon Latimer, Counsel for SmartPhone Technologies LLC on December 22, 2011, and SmartPhone does not object to the relief requested herein. I am lead counsel for Apple in this matter and I am also admitted to practice in the United States District Court for the Eastern District of Texas.

/s/ David M. Beckwith
David M. Beckwith